IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MITCHELL AND RANDI SCHWARTZ, AND EDWARD AND MARY BURNSIDE on behalf of themselves and all others similarly situated.

Plaintiffs,

CIVIL ACTION NO. 69-84

LAWYERS TITLE INSURANCE COMPANY,

v.

Defendant.

ORDER

AND NOW, this 29th day of August 2013, upon consideration of Defendant Lawyers

Title Insurance Company's Motion to Dismiss Count One of the Second Amended Complaint

(Doc. No. 67), Plaintiffs' Response in Opposition (Doc. 71), Defendant's Reply (Doc. 77), the

arguments of counsel for the parties at a hearing on the Motion held on February 15, 2013, and
the supplemental briefs filed by both parties (Doc. Nos. 84, 85), and for the reasons stated in the

Opinion of the Court issued this day, it is **ORDERED** as follows:

 Defendant Lawyers Title Insurance Company's Motion to Dismiss Count One of the Second Amended Complaint is **DENIED**.

BY THE COURT:

JOEL H. SLOMSKY, J.